

**REMARKS**Claim Changes

Claims 1, 11, and 16 are amended to correct a typo graphical error.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Voluntary Amendment to the Claims

Applicant has voluntarily amended the claims to correct typo graphical error for purposes of clarification. No new matter is added with this amendment.

Rejection of Claims 1-3, 5, 11, 12, 14, 16-18, 20, 21, 23, and 24 under 35 U.S.C. § 103 (a) as being unpatentable over US 6,115,616 (Halperin) in view of US 7,042,334 (Mosgrove) and US 2004/0217939 (Levy)

Applicant respectfully traverses the rejection of claims 1-3, 5, 11, 12, 14, 16-18, 20, 21, 23, and 24. Reconsideration is respectfully requested.

Applicant respectfully submits that the combination of Halperin, Mosgrove, and Levy does not teach or suggest all the claim limitations as set forth in independent claim 1. For example, independent claim 1 recites "a top cover placed over a stack of keypad components; a bottom cover placed under the stack; *the top cover and the bottom cover defining a common perimeter*; and *an over molded portion that extends around the perimeter* to form a self contained key pad unit," which is not taught or suggested in the combination of Halperin, Mosgrove, and Levy.

Halperin is directed towards a detachable keyboard for a telephone set in the form of a keyboard card clipped to the headset, which is completely detached from the body when unclipped. Wireless communication between the handset body and keyboard is used when the card is unclipped, while contacts are activated in the clipped position so that the wireless handset then functions as in the case of a non detachable keyboard. See Halperin, Abstract.

Mosgrove is directed towards a key management system for controlling access to vehicle keys includes a key set, a key container and an electronic access device. The key set includes vehicle keys to a particular vehicle and a key tag associated with the vehicle keys having an electronically readable identifier. The key container has a key set storage area secured by an electronic lock and a circuit that detects when the key set is stored in the key set storage area. The access device is carried by a user to access the key container, and has a memory that is updated with at least the identifier of the key tag when the key container is successfully accessed. See Mosgrove, Abstract.

Levy is directed towards keycaps of a keypad or regions of a digitizer containing an electrophoretic ink. An electric field is passed through selected regions of the ink to form a desired graphic label visible at the exposed surface of the keycap or region. In some cases, conductors within the keypad or digitizer alter the ink. In other cases, the keycaps or regions are placed proximate a printer that alters the ink, such as to initialize a generic keypad for a given function. A keypad contains a MOD key to cycle between language-specific variants of a last-entered character. In some cases, the keys are altered remotely to change their displays, such as to update subscriber service information or advertising. See Levy, Abstract.

Applicant respectfully disagrees with the statement in item 4, page 4 of the Office Action dated June 25, 2009 that "Halperin teaches a key pad assembly ... comprising: a top cover placed over a stack of keypad components ... a bottom cover placed under the stack defining a common perimeter ...." The Office Action specifically refers to Halperin's keyboard card which can be detached from a handset as describing or being analogous to Applicant's keypad assembly *comprising a top cover and a bottom cover defining a common perimeter*. However, this is a mischaracterization. According to Applicant's claim the keypad assembly comprises a top cover and a bottom cover sandwiching a plurality of key pad components to form a self contained key pad unit. In contrast, Halperin describes a detachable keyboard card (top portion) having only a plurality of keys. The keys when depressed sends a signal to the handset (bottom portion), and the signal is applied to a point of contact within the handset. Therefore, Halperin at most describes a keyboard card that can be detached from the main body of the handset in order to facilitate the user to enter numbers in a manner similar to a conventional keyboard (See Halperin, col. 2, lines 35-41, col. 4, lines 25-38). However, *Halperin does not mention a keyboard card*

*having a top portion and a handset unit having the bottom portion aligned along a common perimeter to form a self contained key pad unit.*

In addition, Applicant respectfully agrees with the Office Action statement in item 4, page 4 that “the combined system of Halperin and Mosgrove fails to disclose an over molded portion.” However, the Office Action appears to rely on Levy for Applicant’s such feature. Applicant respectfully disagrees. According to Applicant’s claim *an over molded portion extends along the perimeter* of the top cover and the bottom cover to form a self contained keypad unit. In contrast, Levy discloses graphical elements for a key pad printed on a MYLAR substrate, wherein the substrate is *over molded within or on top of the material of key pad* to form an adaptive keyboard interface (See Levy, paragraphs [0067], [0070], and [0077]). Therefore, Levy fails to teach or suggest over molding along a perimeter defined by a top cover and a bottom cover.

In view of the foregoing, Applicant respectfully submits that the combination of Halperin, Mosgrove, and Levy fails to teach or suggest “a top cover placed over a stack of keypad components; a bottom cover placed under the stack; *the top cover and the bottom cover defining a common perimeter*; and *an over molded portion that extends around the perimeter to form a self contained key pad unit*,” as recited by independent claim 1.

The above equally applies to independent claims 11 and 16. Therefore, the combination of Halperin, Mosgrove, and Levy also fails to teach or suggest “sandwiching a plurality of key pad components between a top cover and a bottom cover, *the top cover and bottom cover defining a common perimeter*; and *inserting molding around the perimeter* for encapsulating the top cover and the bottom cover,” as recited by independent claim 11 and “a top cover placed over the stack; and a bottom cover placed under the stack, *the top cover and the bottom cover define a common boundary around the stack, the common boundary over molded to encapsulate the stack* between the bottom cover and the top cover,” as recited by independent claim 16.

For the above reasons, Applicant submits that claims 1, 11, and 16 are not obvious in view of the combination of Halperin, Mosgrove, and Levy, and therefore the rejection of claims 1, 11, and 16 under 35 USC 103(a) should be withdrawn. Applicant requests that claims 1, 11, and 16 now be passed to allowance.

Dependent claims 2, 3, 5, and 23 depend from, and include all the limitations of independent claim 1. Dependent claims 12 and 14 depend from, and include all the limitations of independent claim 11. Dependent claims 17-18, 20-21, and 24 depend from, and include all the limitations of independent claim 16. Therefore, Applicant respectfully requests the reconsideration of dependent claims 2-3, 5, 12, 14, 17-18, 20-21, and 23-24 and requests withdrawal of the rejection.

Rejection of Claims 4 and 10 under 35 U.S.C. § 103 (a) as being unpatentable over US 6,115,616 (Halperin) in view of US 7,042,334 (Mosgrove) and US 2004/0217939 (Levy) and further in view of US 6,950,680 (Kela)

For the above mentioned reasons, Applicant respectfully submits that the combination of Halperin, Mosgrove, and Levy fails to teach or suggest “a top cover placed over a stack of keypad components; a bottom cover placed under the stack; *the top cover and the bottom cover defining a common perimeter*; and *an over molded portion that extends around the perimeter* to form a self contained key pad unit,” as recited by independent claim 1. Subsequently, Kela also fails to remedy this deficiency with respect to claim 1 and also claims 4 and 10 which depend from, and include all limitations of independent claim 1. Therefore, Applicant respectfully requests the reconsideration of dependent claims 4 and 10 and requests withdrawal of the rejection.

Rejection of Claims 8 and 13 under 35 U.S.C. § 103 (a) as being unpatentable over US 6,115,616 (Halperin) in view of US 7,042,334 (Mosgrove) and US 2004/0217939 (Levy) and further in view of US 2004/0110529 (Watanabe)

For the above mentioned reasons, Applicant respectfully submits that the combination of Halperin, Mosgrove, and Levy fails to teach or suggest “a top cover placed over a stack of keypad components; a bottom cover placed under the stack; *the top cover and the bottom cover defining a common perimeter*; and *an over molded portion that extends around the perimeter* to form a self contained key pad unit,” as recited by independent claim 1 and “sandwiching a plurality of key pad components between a top cover and a bottom cover, *the top cover and bottom cover defining a common perimeter*; and *inserting molding around the perimeter* for encapsulating the top cover and the bottom cover,” as recited by independent claim 11.

Subsequently, Watanabe also fails to remedy this deficiency with respect to claims 1 and 11 and also claims 8 and 13 which depend from, and include all limitations of independent claims 1 and 11, respectively. Therefore, Applicant respectfully requests the reconsideration of dependent claims 8 and 13 and requests withdrawal of the rejection

Rejection of Claim 7 under 35 U.S.C. § 103 (a) as being unpatentable over US 6,115,616 (Halperin) in view of US 7,042,334 (Mosgrove) and US 2004/0217939 (Levy) and further in view of US 5,841,857 (Zoiss)

For the above mentioned reasons, Applicant respectfully submits that the combination of Halperin, Mosgrove, and Levy fails to teach or suggest “a top cover placed over a stack of keypad components; a bottom cover placed under the stack; *the top cover and the bottom cover defining a common perimeter*; and *an over molded portion that extends around the perimeter* to form a self contained key pad unit,” as recited by independent claim 1. Subsequently, Zoiss also fails to remedy this deficiency with respect to claim 1 and also claim 7 which depends from, and includes all limitations of claim 1. Therefore, Applicant respectfully requests the reconsideration of dependent claim 7 and requests withdrawal of the rejection.

Rejection of Claim 9 under 35 U.S.C. § 103 (a) as being unpatentable over US 6,115,616 (Halperin) in view of US 7,042,334 (Mosgrove) and US 2004/0217939 (Levy) and further in view of US 5,517,683 (Collet)

For the above mentioned reasons, Applicant respectfully submits that the combination of Halperin, Mosgrove, and Levy fails to teach or suggest “a top cover placed over a stack of keypad components; a bottom cover placed under the stack; *the top cover and the bottom cover defining a common perimeter*; and *an over molded portion that extends around the perimeter* to form a self contained key pad unit,” as recited by independent claim 1. Subsequently, Collet fails to remedy this deficiency with respect to claim 1 and also claim 9 which depends from, and includes all limitations of claim 1. Therefore, Applicant respectfully requests the reconsideration of dependent claim 9 and requests withdrawal of the rejection.

Rejection of Claim 19 under 35 U.S.C. § 103 (a) as being unpatentable over US 6,115,616 (Halperin) in view of US 7,042,334 (Mosgrove), US 2004/0217939 (Levy), US 6,950,680 (Kela) and further in view of US 6,785,395 (Arneson)

For the above mentioned reasons, Applicant respectfully submits that the combination of Halperin, Mosgrove, Levy, and Kela fails to teach or suggest "a top cover placed over the stack; and a bottom cover placed under the stack, the *top cover and the bottom cover define a common boundary around the stack, the common boundary over molded to encapsulate the stack* between the bottom cover and the top cover," as recited by independent claim 16. Subsequently, Arneson also fails to remedy this deficiency with respect to claim 16 and also claim 19 which depends from, and includes all limitations of claim 16. Therefore, Applicant respectfully requests the reconsideration of dependent claim 19 and requests withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Motorola, Inc.  
One Motorola Plaza  
Holtsville, NY 11742-1300  
(631) 738-3405  
BJD:dji

Respectfully submitted,

By: 

Bartholomew J. Di Vita  
Attorney For Applicant  
Registration No.: 59,803